

Amendment
U.S. Patent Application No. 09/711,177

REMARKS

Claims 9, 17-20, 27, 33-35, and 37-42 are currently pending in the subject application: claims 1, 5-9, 12, 15, 16, 24-26, 28, 29, 32, and 35 stand rejected, claims 11 and 36 are indicated as containing allowable subject matter, and claims 17-20, 27, 33, 34, and 37-42 are allowed. By the above amendments, claims 1, 5-8, 11, 12, 15, 16, 24-26, 28, 29, 32, and 36 have been canceled, and claims 9, 35, 41, and 42 have been amended. Favorable reconsideration of the application and allowance of all of the pending claims are respectfully requested in view of the above amendments.

Claims 28, 29 and 32 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 28, 29, and 32 have been canceled thereby rendering moot this rejection.

Claims 1, 5-8, 11, 12, 15, 16, 24-26, and 36 have been canceled thereby rendering those rejections moot.

Claim 35 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,537, 502 to Miller et al. and also stands rejected as being anticipated by U.S. Patent No. 5,189,420 to Eddy et al. Claims 1, 5-9, 12, 15, 16, and 24-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. RE 38,523 to Ozluturk. However, the Examiner indicates that claims 11 and 36 would be allowable if rewritten in independent form to include all of the limitations of their parent claims and any intervening claims.

By the above amendments, claims 1, 5-8, 12, 15, 16, and 24-26 have been canceled thereby rendering moot the rejection over Ozluturk as it applies to these claims. Claims 9 and 35 have been amended to include the subject matter of allowable claims 11 and 36, respectively. Accordingly, the Examiner is respectfully requested to withdraw these rejections and find amended claims 9 and 36 allowable.

In view of the foregoing, Applicant respectfully requests the Examiner to find the application to be in condition for allowance with claims 9, 17-20, 27, 33, 34, 35 and 37-42. However, if for any reason the Examiner feels that the application is not now in condition for

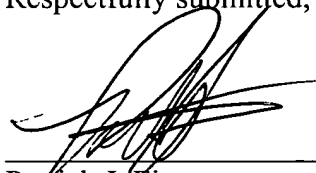
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allowance, the Examiner is respectfully requested to call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 05-0460.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patrick J. Finnan', is written over a horizontal line.

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